

**THE TOWN OF FOREST HEIGHTS
RESOLUTION 01-18**

A RESOLUTION TO AUTHORIZE CHANGE ORDER NUMBER 7 TO THE ROLPH DRIVE RECONSTRUCTION CONTRACT WITH J.A. SCHEIBEL INC. D/B/A SCHEIBEL CONSTRUCTION

Introduced by: Mayor Habeeb-Ullah Muhammad

WHEREAS, the Town Council has authority to approve contracts and procurements pursuant to the Town Charter, Section 33-63, and Town Code, Section 20.4; and

WHEREAS, that pursuant to Resolution 51-17, the Town Council previously approved an assignment agreement with Scheibel Construction in the amount of \$839,822.76, regarding the Rolph Drive Reconstruction Project; and

WHEREAS, a construction kick-off meeting was held on July 27, 2017 where the Contractor having dug test pits, identified several issues including gas and storm line conflicts that could be remedied by substituting certain sized pipes; and

WHEREAS, on August 7, 2017 pursuant to Resolution 56-17, the Town Council approved Change Order #1 for said Project in the amount of \$28,140.40 to allow the substitution of a 18" storm drain with a 14" concrete elliptical pipe, and installing additional manholes to facilitate gas lines being located in accordance with code requirements; and

WHEREAS, on December 7, 2017 pursuant to Resolution 94-17, the Town Council approved Change Orders No.'s 2 through 6 for said Project in the amount of \$44,263.00 to allow modifications to the inlets (i.e. pre-cast holes needed changed) due to the location of utilities, to provide for a 300' additional silt fencing that was required, and modifications to pipe elevations and grades in the field to avoid utilities was needed, and modifications to pre-cast inlets were needed so that the new pipe elevations would fit, and further requiring work by the contractor associated with the water meter repairs, replacement and disposal of fill materials, and added labor and materials; and

WHEREAS, the Project Manager reports that as of December 15, 2017, the Project was 85% complete with just landscaping and sidewalk work to complete, but as of December 26, 2017 due to excessive excavation for the sidewalk and tree box, a 30' long by 24" high retaining wall is requested adjacent to tree box #4 to eliminate extensive excavation into the homeowner's property; and

WHEREAS, the Rolph Drive Reconstruction Project is subject to a Municipal Participation Agreement with the County Government, and has other time sensitive funding sources such as the U.S. Fish and Wildlife Service; and

The Town of Forest Heights
Resolution 01-18

WHEREAS, the Town Council finds that further delays should be avoided and that the change order considered herein would be preferred to suffering further delays and the possible loss of significant grant funding and costs due to delay.

NOW THEREFORE BE IT RESOLVED that the Town Council hereby approves the Construction Change Order (Number 7) attached hereto as Exhibit A in the total amount of \$4,400.00 for the contractor and/or subcontractor proposal as follows:

Date/No.	Company/Provider	Description	Cost
Dec. 22, 2017 – Chg. Order No. 7	Segmental Wall Specialists, Inc./ Scheibel Construction	To construct additional retaining wall 24” exposed with cap 1/2 block in the ground and 30 ft. long.	\$4,400.00
Total:			\$4,400.00

AND BE IT FURTHER RESOLVED that the Construction Change Order (Number 7) for the construction contract entered with J.A. Scheibel d/b/a Scheibel Construction shall be paid from line item 8034 – Rolph Drive Project and/or transferred between other line items in the amount of \$4,400.00; thereby making the new agreement adjusted consideration amount of \$964,126.40.

AND BE IT FURTHER RESOLVED that by letter dated December 2017, A.D. Marble acknowledged and accepted a funds transfer of \$4,400.00 to Scheibel Construction for the installation of the retaining wall that was not included in the original contract, thereby reducing A.D. Marble’s contract from \$48,900.00 to \$47,500.00.

AND BE IT FURTHER RESOLVED that the Town Council authorizes the Mayor to sign the subject Construction Change Order and any other documents required to effectuate these changes and the intent of this Resolution.

PASSED this ___ day of January 2018.

APPROVED: By Resolution of the Town Council of the Town of Forest Heights, Maryland.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

yea

KENNEDY II

Absent

MCLAURIN

yea

BARNES

Absent

HINES

yea

SMITH-BARNES

Absent

The Town of Forest Heights
Resolution 01-18

BROWNSON

Yea

ATTEST:

THE MAYOR AND COUNCIL OF THE TOWN
OF FOREST HEIGHTS, MARYLAND

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

SIGNATURE ON FILE

By: Mayor Habeeb-Ullah Muhammad, Mayor

SIGNATURE ON FILE

By: Jonathon Kennedy, II, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 17 day of January 2018 with 4 Aye votes and 0 Nay, constituting a majority of at least four (4) affirmative votes, the aforesaid Resolution 01-18 passed.

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk

Exhibit A - (Change Order, proposal and description from Project Manager/Contactor)